THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.19739 OF 2005

ORDER:

The petitioner is allegedly a resident of Sadasivapet Municipal area. Her name was included at Sl.No.404 of electoral list of Ward No.16 of Sadasivapet Municipality as on 1.1.2005. However, in the final list prepared, her name was not included. Therefore, the petitioner filed objections in Form No.6 before the 4th respondent on 29.8.2005. The same was acknowledged by Mandal Revenue Inspector on 29.8.2005, but no orders were passed. In the meanwhile, the State Election Commission issued a notification under Article 243 K of the Constitution of India notifying election programme for elections to Municipalities/Nagar Pachayats including Sadasivapet Municipality, the last date for filing nominations being 5.9.2005. The petitioner approached this Court on 5.9.2005 for a direction to the 4th respondent to include her name in the voters' list.

The A.P. Municipalities (Preparation and Publication of Electoral Rolls) Rules, 2001 provides the procedure for preparation of electoral rolls and publication thereof. Rule 6 of the said Rules enables a person to file objections before the Electoral Registration Officer (Revenue Divisional Officer). The petitioner allegedly submitted such objections in Form No.6 on 29.8.2005. The Revenue Divisional Officer, therefore, has to pass orders on petitioner's application. Except to that extent, having regard to Article 243-ZG of the Constitution of India, no direction can be issued to the respondents.

Accordingly, the Writ Petition is disposed of after hearing the learned standing counsel for respondent-Municipality and the learned Assistant Government Pleader for Revenue, directing the 4th respondent to pass appropriate orders on the application/objections submitted by the petitioner on 29.8.2005.

_____

6th September, 2005. V.V.S. RAO, J.